

## Message Text

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ACTION SCI-06

INFO OCT-01 IO-13 ADP-00 ACDA-19 CIAE-00 INR-10 L-03

NSAE-00 NSC-10 RSC-01 SCEM-02 AF-10 ARA-16 EA-11

EUR-25 NEA-10 SS-15 RSR-01 /153 W

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P 300610Z AUG 73

FM USMISSION IAEA VIENNA

TO SECSTATE WASHDC PRIORITY 3305

INFO AEC/GERMANTOWN PRIORITY

UNCLAS IAEA VIENNA 7141

EO: 11652: N/A

TAGS: IAEA, TECH

SUBJ: AMENDMENT TO US/IAEA AGREEMENT FOR COOPERATION

REF: A. STATE 171337; B. IAEA VIENNA 7092

1. SINCE PRECISE LANGUAGE SUGGESTED REF A FOR DG'S LETTER DID NOT RPT NOT EXACTLY CORRESPOND TO ORIGINAL LETTER FROM MISSION TRANSMITTING DRAFT AMENDMENT, MISSION AND AGENCY AGREED ON SLIGHTLY REVISED VERSION, WHICH SHOULD MEET U.S. NEEDS.

2. FULL TEXT OF AGENCY LETTER DATED AUGUST 28, 1973, SIGNED BY ACTING DG CHERNILIN, IS AS FOLLOWS:

BEGIN TEXT:

I REFER TO MR. LABOWITZ'S LETTER OF 14 AUGUST 1973 CONCERNING THE PROPOSED AMENDMENT OF THE AGREEMENT FOR CO-OPERATION BETWEEN THE UNITED STATES OF AMERICA AND THE INTERNATIONAL ATOMIC ENERGY AGENCY SIGNED IN VIENNA ON 11 MAY 1959.

I AM VERY PLEASED TO INFORM YOU THAT THE AGENCY IS AGREEABLE TO THE PROPOSED AMENDMENT AS REVISED DURING DISCUSSIONS BETWEEN OUR RESPECTIVE STAFF MEMBERS, A COPY OF WHICH IS ENCLOSED HEREWITH, AND ON THE BASIS OF TWO UNDERSTANDINGS SET FORTH BELOW.

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IT IS OUR UNDERSTANDING FROM DISCUSSIONS WHICH HAVE TAKEN PLACE BETWEEN MEMBERS OF THE SECRETARIAT AND MEMBERS OF THE UNITED STATES MISSION TO THE AGENCY THAT THE RECENTLY PUBLISHED NEW CRITERIA FOR URANIUM ENRICHMENT SERVICES WILL NOT AFFECT THE UNDERTAKING OF THE UNITED STATES PURSUANT TO ARTICLE II.A OF THE AGREEMENT FOR CO-OPERATION, NAMELY THE MAKING AVAILABLE TO THE AGENCY OF 5,000 KILOGRAMS OF CONTAINED URANIUM-235 TOGETHER WITH THE AMOUNTS OF SPECIAL NUCLEAR MATERIAL WHICH WILL MATCH IN AMOUNT THE SUM OF ALL QUANTITIES OF SPECIAL NUCLEAR MATERIAL MADE AVAILABLE BY ALL OTHER MEMBERS OF THE AGENCY PRIOR TO 1 JULY 1960.

IT IS OUR UNDERSTANDING, FURTHER, THAT NOTHING IN THE AGREEMENT FOR CO-OPERATION AS AMENDED SHALL AFFECT THE EXISTENCE OF THE COMMISSION'S AUTHORITY TO ASSIST AND ENCOURAGE RESEARCH ON PEACEFUL USES OR FOR MEDICAL THERAPY BY MAKING SPECIAL NUCLEAR MATERIAL AVAILABLE TO THE AGENCY WITHOUT CHARGE DURING ANY CALENDAR YEAR IN A QUANTITY WHICH AT THE TIME OF TRANSFER DOES NOT EXCEED IN VALUE US \$50,000.

I SHOULD BE GRATEFUL TO HAVE YOUR CONFIRMATION THAT THE U.S. GOVERNMENT ACCEPTS THE PROPOSED AMENDMENT AS WELL AS OF THE UNDERSTANDINGS SET OUT ABOVE. WE SHOULD THEN BE IN A POSITION TO PRESENT THE NECESSARY PROPOSALS TO THE BOARD OF GOVERNORS FOR THEIR CONSIDERATION AS SOON AS POSSIBLE.

END TEXT.

3. TEXT OF ENCLOSED AMENDMENT IS AS SET FORTH REF A. COPY OF LETTER AND ENCLOSURE FOLLOW BY AIRGRAM.

4. RE REF B, WHICH CROSSED WITH REF A, AGENCY PREFERS THAT U.S. RESPONSE RE-STATE UNDERSTANDINGS, RATHER THAN SIMPLE CONFIRMATION PER PARA 3 REF A, SINCE AGENCY INTENDS TO INCLUDE TEXT (OR APPROPRIATE PORTIONS THEREOF) IN BOARD DOCUMENT. IN LIGHT REVISIONS TO AGENCY LETTER, HOWEVER, LATTER PART OF FIRST PARA OUR RESPONSE (PARA 2.A, REF B) SHOULD BE REVISED TO READ: "...I AM PLEASED TO CONFIRM THAT THE US GOVERNMENT ACCEPTS THE PROPOSED AMENDMENT ENCLOSED THEREWITH." REMAINING PARAS UNCHANGED. ADVISE WHETHER TEXT ACCEPTABLE. PORTER

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** AGREEMENTS, NUCLEAR COOPERATION PROGRAMS, AMENDMENTS  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 30 AUG 1973  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** n/a  
**Disposition Approved on Date:**  
**Disposition Authority:** n/a  
**Disposition Case Number:** n/a  
**Disposition Comment:**  
**Disposition Date:** 01 JAN 1960  
**Disposition Event:**  
**Disposition History:** n/a  
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**Disposition Remarks:**  
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**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** n/a  
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**Line Count:** 99  
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**Office:** ACTION SCI  
**Original Classification:** UNCLASSIFIED  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
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**Page Count:** 2  
**Previous Channel Indicators:**  
**Previous Classification:** n/a  
**Previous Handling Restrictions:** n/a  
**Reference:** A. STATE 171337; B. IAEA VIENNA 7092  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** kellerpr  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 22 OCT 2001  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <22-Oct-2001 by reddocgw>; APPROVED <18-Dec-2001 by kellerpr>  
**Review Markings:**

Declassified/Released  
US Department of State  
EO Systematic Review  
30 JUN 2005

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** AMENDMENT TO US/IAEA AGREEMENT FOR COOPERATION  
**TAGS:** TECH, IAEA  
**To:** STATE  
**Type:** TE  
**Markings:** Declassified/Released US Department of State EO Systematic Review 30 JUN 2005